

14202 U.S. PTO
112103

SOFER & HAROUN, L.L.P.
PATENT FILING TRANSMITTAL

ATTORNEY DOCKET NO: 886-094CON2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22387 U.S. PTO
10/719987

112103

PATENT FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of: **Evan Marwell and Robert Pines**

For: **PERSONALIZED ASSISTANCE SYSTEM AND METHOD**

TYPE OF FILING

This new patent application is for a(n):

- ☐ Utility
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☒ Continuation
- ☐ Continuation-in-part
- ☐ Provisional

Benefit of a prior filed application

- ☒ This is a continuation of copending application Serial No. 10/158,571 filed on May 29, 2002 which is based on Serial No. 09/449,126 filed on November 24, 1999 which claims priority to U.S. Provisional Application No. 60/158,311 filed on October 8, 1999 under 35 USC 120.
- ☐ Please accord Applicant the benefit of the priority date of _____ to this case pursuant to 35 USC 119. Applicant's claim for priority is based on application _____ filed in _____ on that date.

Filing under 37 CFR 1.53 (Utility) or 37 CFR 1.153 (Design)

- ☒ This is an application filed pursuant to 37 CFR 1.53 or 37 CFR 1.153, permitting receipt of a filing date upon filing of a specification, at least one claim and necessary drawings.
- ☒ In the event any parts of this application are incomplete, please treat this as a filing under 37 CFR 1.53 or 37 CFR 1.153.

ENCLOSURES

CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U. S. Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 as Express Mail No. _____ addressed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231 on _____ by _____.

Date: _____

Signed: _____

Minimum requirements under 37 CFR 1.53(b) (Utility) or 37 CFR 1.153 (Design)

- ☒ 67 pages of specification;
☒ 8 pages of claims;
☒ 2 pages of abstract;
☒ 13 sheets of informal drawings;
☒ A Declaration, Power of Attorney & Petition or listing of inventors;
and
☒ A postcard for return to us as proof of receipt of the above documents.

plus

- ☒ An Assignment of the invention and an Assignment cover sheet;
☐ Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(b))
☒ Form PTO-1449 (IDS) and copies of the references listed thereon;
☐ A certified copy of _____ (country) patent application number (priority document).
☐ A preliminary amendment;
☐ Declaration of Biological Deposit;
☐ Submission of sequence listing, computer readable copy and/or amendment relating thereto for biotechnology invention containing nucleotide and/or amino acid sequence;
☐ An associate power of attorney;
☐ Other.

DECLARATION OR OATH

The enclosed Declaration or Oath has been executed by:

- ☒ Inventor(s);
☐ Legal representative of the inventors (37 CFR 1.42 or 1.43);
☐ Joint inventor or person showing proprietary interest on behalf of an inventor who refused to sign or who cannot be reached and this is a petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is attached;
☐ Has not been executed and is enclosed for the purposes of identifying the inventors.

INVENTORSHIP STATEMENT

The inventorship for all the claims in this application is:

- ☒ the same;
☐ not the same and, as an explanation, a statement is/ will be submitted.

LANGUAGE

The application submitted herewith is:

- ☒ in English;
☐ in not in English and in terms of 37 CFR 1.52(d) a verified translation is
☐ attached
☐ not attached.

FEE CALCULATION

The filing fee has been calculated as shown below:

| | SMALL ENTITY | | OR | OTHER THAN A SMALL ENTITY | |
|--|--------------|------------|----|------------------------------|------------|
| BASIC FEE Design Patent | | | | \$170 | \$340 |
| BASIC FEE Utility Patent | | | | \$385 | \$770 |
| EXTRA FEES | | | | RATE | FEE |
| TOTAL CLAIMS | 32 | MINUS 20 = | 12 | x 9 = \$ | x 18 = \$ |
| INDEP. CLAIMS | 4 | MINUS 3 = | 1 | x 43 = \$ | x 86 = \$ |
| <input type="checkbox"/> MULTIPLE DEP. CLAIM | | | | + 130 = \$ | + 260 = \$ |
| <input type="checkbox"/> ASSIGNMENT | | | | + 40 = \$ | + 40 = \$ |
| <input type="checkbox"/> RULE 53 SURCHARGE | | | | + 65 = \$ | + 130 = \$ |
| TOTAL | | | | \$ 1072.00 | \$ 0 |

FEE PAYMENT

- ☒ No Fee is Enclosed at this time.
- ☐ Attached is Check No. _____ in the sum of \$ _____ to cover the filing and, if applicable, the assignment fee.
- ☐ Please charge Account No. 19-2825 the sum of \$ _____.

FEE DEFICIENCY

- ☐ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. 19-2825:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- ☐ Assignment Recordal fees.
- ☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 19-2825.
- ☐ A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: _____

SOFER & HAROUN, L.L.P.

Joseph Sofer
Reg. No. 34,438

Address: 317 Madison Avenue, Suite 910
New York, New York 10017
Telephone: (212) 697-2800
Facsimile: (212) 697-3004

PATENT

Docket No. 886-094con2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Marwell et al.
Serial No. : TBA
Filed : November 21, 2003
For : PERSONALIZED ASSISTANCE SYSTEM AND METHOD

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EV310192334US

Date of Deposit November 21, 2003

I hereby certify that the following attached paper(s) or fee

- 1) Continuation Patent Application (77 pages)
- 2) Patent Transmittal
- 3) Return Postcard
- 4) Express Mail Certificate
- 5) Formal Drawings (13 sheets)
- 6) IDS w/ Form PTO-1449
- 7) 5 References
- 8) 4 Assignments
- 9) 4 Assignment Cover Sheets
- 10) Declaration

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37

C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks,

Washington, D.C. 20231.

Sandria Cirillo

(Typed or printed name of person
mailing paper(s) or fee)

Sandria Cirillo

(Signature of person mailing
paper(s) or fee)

Mailing Address:
SOFER & HAROUN, LLP
317 Madison Avenue, Suite 910
New York, New York 100173
Tel:(212) 697-2800; fax (212) 697-3004